

The Hon. Ricardo S. Martinez

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CLARENCE E. DANIELS,

Defendant.

NO. CR24-5100-RSM

**FINAL ORDER OF FORFEITURE**

THIS MATTER comes before the Court on the United States' Motion for a Final Order of Forfeiture ("Motion") for the following property ("Subject Property"):

- a. One Heckler & Koch, Model HK45C, .45 handgun;
- b. One Ruger, Model 10/22 Carbine, .22 caliber rifle; and
- c. Any associated ammunition.

The Court, having reviewed the United States' Motion, as well as the other pleadings and papers filed in this matter, HEREBY FINDS that entry of a Final Order of Forfeiture is appropriate because:

1. On October 9, 2024, the Court entered a Preliminary Order of Forfeiture finding the Subject Property forfeitable pursuant to 18 U.S.C. § 924(d)(1), by way of 28 U.S.C. § 2461(c), and forfeiting the Defendant's interest in it (Dkt. No. 33);

1           2.       Thereafter, the United States published notice of the pending forfeitures as  
2 required by 21 U.S.C. § 853(n)(1) and Federal Rule of Criminal Procedure (“Fed. R.  
3 Crim. P.”) 32.2(b)(6)(C) (Dkt. No. 38), and sent direct notice, by means reasonably  
4 calculated to reach them, to three identified potential claimants, as required by Fed. R.  
5 Crim. P. Rule 32.2(b)(6)(A) and Supplemental Rule G(4)(b)(iii)-(v) of the Supplemental  
6 Rules for Certain Admiralty and Maritime Claims (*see* Declaration of AUSA Jehiel I.  
7 Baer in Support of Motion for a Final Order of Forfeiture (“Baer Decl.”) ¶¶ 2–3, Exhibits  
8 A-C);

9           3.       The United States has used all available efforts to provide notice to  
10 identified potential claimants, by means reasonably calculated to reach them. Notices sent  
11 to two potential claimants were successfully delivered. Baer Decl. ¶¶ 2–3, Exhibits A–B.  
12 Notice sent to a third potential claimant resulted in one letter being returned as  
13 “Unclaimed” and “Unable to Forward,” and the other letter being delivered on or about  
14 February 1, 2025. *Id.* ¶¶ 2.c, 3, Exhibit C. The United States has no other current contact  
15 information for this potential claimant. *Id.* ¶¶ 2–3; and,

16           4.       The time period for filing third-party petitions has expired and none were  
17 filed.

18  
19 NOW, THEREFORE, THE COURT ORDERS:

20           1.       No right, title, or interest in the Subject Property exists in any party other  
21 than the United States;

22           2.       The Subject Property is fully and finally condemned and forfeited, in its  
23 entirety, to the United States; and

24 ///

25 ///

26 ///

